

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

	X	
IRIS YETTER, on Behalf of Herself and All	:	Civil Action No. 08-cv-00186
Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
BUY BUY BABY, INC.,	:	
	:	
Defendant.	:	
	X	

**PLAINTIFF’S UNOPPOSED MOTION AND INCORPORATED
MEMORANDUM OF LAW FOR EXTENSION OF TIME TO
FILE MOTION FOR CLASS CERTIFICATION**

Plaintiff, by and through undersigned counsel, pursuant to Fed. R. Civ. P. 6(b), respectfully moves the Court for a short extension of time, until Monday, May 19, 2008, to file her motion for class certification, and in support thereof states as follows:

1. Pursuant to the Court’s directive at the parties’ scheduling conference on April 9, 2008, Plaintiff’s Motion for Class Certification is due on May 15, 2008.
2. In support of her motion for class certification, Plaintiff intends to utilize deposition testimony and documentary evidence currently designated as “confidential” pursuant to the parties’ Stipulated Protective Order dated April 29, 2008 [DE 11]. In order to avoid having to file Plaintiff’s motion and accompanying exhibits under seal, the parties are now conferring in good faith to determine whether some or all of the materials can be de-designated as confidential and filed in open court.

3. Due to scheduling conflicts by counsel, the parties will require four additional days – until May 19, 2008 – to allow the parties sufficient time to attempt to resolve these issues surrounding the confidential designation of such discovery without the need for Court action.

4. Fed. R. Civ. P. 6(b) provides that the Court may extend the time to file a motion for class certification “for good cause.” Plaintiff submits that such cause exists.

5. The parties have conferred and Defendant does not oppose the relief Plaintiff is herein seeking. Moreover, this motion for extension of time is made in good faith and is not made to delay the ultimate resolution of this case.

WHEREFORE, Plaintiff respectfully requests the Court grant an extension of time to file her motion for class certification as detailed herein, and for such other relief as is deemed just and proper.

DATED: May 15, 2008

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Counsel for Plaintiff and the Proposed Class

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2008, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/MICHAEL L. GREENWALD
MICHAEL L. GREENWALD